IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Frank J. Bunick, et al.

Serial No. : 10/743,127

Art Unit: 1615

Filed

: December 22, 2003

Examiner: Susan Tran

For

: CONSUMER CUSTOMIZED DOSAGE FORMS

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August 12,2005
(Date of Deposit)

Michele G. Mangini
(Name of applicant, assignee, or Registered Representative)

nature

12,2005

August

(Date of Signature)

Commissioner for Patents P.O. Box 1450 Washington, D.C. 20231

FIRST SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Dear Sir:

This copy is supplemental to the Information Disclosure Statement mailed on December 22, 2003.

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

Applicant(s) reserve(s) the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this

information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

Disclosure Statement is being filed either within three months of the filing date of the above-identified national application (other than a continued prosecution application under \$1.53(d)), within three months of the date of entry into the national stage of the above identified application as set forth in \$1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of a request for continued examination under \$1.114, no additional fee is required.

In ac	ccordanc	e with	§1.129(a), th	is Info	ormation	1
Disclosure Stat	ement i	s being	filed in	n con	nection	with [] the
first or _seco	nd Afte	r Final	Submissi	on,	therefo	re:	
	Stateme	ent in A	Accordanc	e wit	h §1.97	7(e)	
	(attach	ned); or	<u>-</u>				
	Please	charge	Deposit .	Accou	nt No.	10-	
	0750/	/	the fee	of <u>\$</u>	180.00	as set	forth
	in §1.1	7(p).					

In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, or an action that otherwise closes prosecution and that it is accompanied by one of:

		Statement in Accordance with §1.97(e)
		(attached); or
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		in §1.17(p).
either a under §1 Applicant	e Stat Final .311 k (s) he	coordance with §1.97(d), this Information tement is being filed after the mailing date of Action under §1.113 or a Notice of Allowance but before the payment of the Issue Fee. Except petition(s) for consideration of this sclosure Statement. Included are: Statement in
Accordanc	e with	n §1.97(e) as set forth below and the fee of forth in §1.17(p).
attached :	-	es of each of the references listed on the PTO-1449 are enclosed herewith.
[] 1449 are	_	es of references listed on the attached Form PTO sed herewith EXCEPT THAT:
		In view of the voluminous nature of references [list as appropriate], and the likelihood that these references are available to the Examiner, copies are not enclosed herewith.
		If any of the foregoing publications are not available to the Examiner, Applicant will endeavor to supply copies at the Examiner's request.
	_	es of only foreign patent documents and non-

(a)(2).

 $oxed{\boxtimes}$ There are no listed references which are not in the English language.

The relevance of those listed references which are not in the English language is as follows:

Attached are copies of search report(s) from corresponding patent application(s) PCT/US 2004/042398 (Attorney docket number MCP5019PCT) and PCT/US 2004/042150 (Attorney docket number MCP5022PCT), which are listed on the attached Submission Under MPEP 609 D. Applicants further wish to point out related application U.S.S.N. 10/743,126 filed 22 December 2003 (MCP 5019), which published 23 June 2005 as US2005-0136105A1, and is also listed on attached Submission Under MPEP 609D.

Copies of the references listed on the search report(s) are included except for those previously cited in an IDS mailed December 22, 2003.

Attached are the following non-published pending patent applications which may be deemed relevant, which are listed on the attached Submission Under MPEP 609 D.

Please charge any deficiency or credit any overpayment to Deposit Account No. 10-0750/MCP5022/MGM. This form is submitted in triplicate.

Respectfully submitted,

Michele & Mangini

Reg. No. 36/806

Attorney for Applicants

Johnson & Johnson One Johnson & Johnson Plaza New Brunswick, NJ 08933-7003 (732) 524-2810 DATED: August 12, 2005



PTO/SB/08A (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary) Sheet 1 of 2

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Application Number	10/743,127				
Filing Date	December 22, 2003				
First Named Inventor	Frank Bunick				
Group Art Unit	1615				
Examiner Name	Susan Tran				
Attorney Docket Number	MCP-5022				

U.S. Patent Document Date of Publication Name of Patentee or Applicant Pages, Columns, Lines, Examiner Cite Kind Code² of Cited Document where relevant passages or of Cited Document Initials No.1 Number (if known) relevant figures appear mm-dd-yyyy 5,620,707 Α Sanker et al. 04-15-1997 6,482,433 **B**1 DeRoss et al. 11-19-2002

U.S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS Foreign Patent Document Date of Publication Pages, Columns, Lines, of Cited Document where relevant Name of Patentee or Examiner Cite passages or relevant T⁶ mm-dd-yyyy Applicant of Cited Document Initials figures appear Office³ Number⁴ KindCode5 EP 0298740 Α American Home Products 01-11-1989 EP 0570327 Α Fuisz Technologies Ltd 11-18-1993 GB 2147501 Avner * Rotman 05-15-1985

CAMITICI	Date
Signature	Considered
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¹ Unique citation designation number. 2 See attached Kinds of U.S. Patent Documents. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary) Sheet 2 of 2

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First Named Inventor	Frank Bunick				
Group Art Unit	1615				
Examiner Name	Susan Tran				
Attorney Docket Number	MCP-5022				

	OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS					
Examiner's Initials*	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ²			
		DATABASE WPI Section Ch, Week 200378 Derwent Publications Ltd., London, GB; Class A96, AN 2002-845036 XP002327004 & WO 03/074086 A1 (Medrx Co Ltf) 12 September 2003 abstract				
		CHAWLA J ET AL: "Effect of Route of Administration on the Pharmacokinetic Behavior of Enantiomers of Nefopam and Desmethylnefopam" Therapeutic Drug Monitoring, New York, NY, US Vol. 25, No. 2, April 2003 pages 203-210, XP008046826 ISSN: 0163-4356 page 204, right hand column, lines 44, 45				
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SUBMISSION UNDER MPEP 609 D

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Group Art Unit Examiner Name Attorney Docket Number

Application Number Filing Date First Named Inventor December 22, 2003 Frank Bunick 1615 Susan Tran MCP-5022

10/743,127

Page 1 of 1

U.S. PATENT DOCUMENTS

			U.S. Patent Document		
Examiner Initials	Cite No. ¹	Name of Patentee or Applicant of Cited Document	Number	Kind Code ² (if known)	Pages, Columns, Lines, where relevant passages or relevant figures appear
		Allen, et al.	US2005-0136105	A1	

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FOREIGN PATENT DOCUMENTS

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Examiner Initials	Cite No. ¹	Name of Patentee or Applicant of Cited Document	Foreign P Office ³	atent Docum	ent KindCode ⁵	Pages, Columns, Lines, where relevant passages or relevant figures appear	T ⁶
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	<u> </u>	OTHER PRIOR ART - N	ON PATEN	LITERATU	RE DOCUMEN	ITS	
Examiner 's Initials*	Cite No.1	tide of the florit (book, magazine, journal, cond., cympodium, calalog, clo.), date, page(o),			T²		
	PCT Search Report PCT/US2004/042150 dated May 30, 2005 (Attny Dkt No. MCP5022PCT)						
		PCT Search Report PCT/I No. MCP5019PCT)	JS2004/	042398 (dated June	e 8, 2005 (Atty Dkt	

Examiner	Date	
Signature	Considered	
	 	